

FORENSIC LABORATORY ADVISORY COMMITTEE (FLAC)
MEETING MINUTES
Wednesday, June 5, 2019
10am – 12pm

Office of Health Care Quality
7120 Samuel Morse Drive
2nd Floor
Columbia, MD 21046

Members in Attendance:

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Brittney Bryant, Senior Accreditation Officer, American Association for Laboratory Accreditation (A2LA)
Yale Caplan, Ph.D., American Academy of Forensic Sciences
Rana DellaRocco, Director, Baltimore Police Department Forensic Laboratory Section
Lorraine Doucette, American Society for Clinical Laboratory Science
Dan Katz, Director, Maryland State Police Forensic Sciences Division
Kristen Lease, Acting Director, Prince George's County Police Forensic Science Division
Lilia Mijares, Ph.D., University of Maryland School of Medicine
Renee Webster, Assistant Deputy, OHCQ (Chairperson)

Quorum was established with 8 of 9 FLAC members in attendance.

Members not in attendance:

Melissa Kennedy, Forensics Accreditation Manager, ANSI National Accreditation Board (ANAB)

OHCQ Staff:

Paul Celli, Public Health Administrator, Clinical and Forensic Laboratories
Katherine Mullen, Health Policy Analyst
Tia Tate, Ph.D., Coordinator, Forensic Laboratories Program

Non-members in attendance:

Cassandra Burke, Acting Director, Baltimore County Police Forensic Services Section
Ebony Cates-Brown, Maryland Medical Cannabis Commission
Ethan Conway, Deputy Director, Baltimore Police Department
Theresa DeAngelo, Quality Assurance Manager, Maryland State Police
Vashti Eckels, University of Maryland, Baltimore
Brad Ghaner, Harford County Sheriff's Office Forensic Services Unit
Ken Jones, Deputy Director, Baltimore Police Department
Jenifer Hanburger, Director, Anne Arundel County Crime Laboratory
Ashley Hayes, Quality Assurance Manager, Anne Arundel County Crime Laboratory
Teresa Long, Laboratory Director, Howard County Police Department Forensic Services Section
Jessica Orchowicz, Harford County Sheriff's Office Forensic Services Unit
Craig Robinson, Manager, Anne Arundel County Crime Laboratory
Pamela Shaw, Forensic Scientist, Baltimore Police Department

MINUTES ORGANIZED BY AGENDA ITEMS

I. Welcome and General Announcements

Renee Webster, Assistant Deputy Director, OHCQ, (Chairperson), called the meeting to order at 10:07am, welcomed the committee members and others in attendance, and announced that Quorum had been established.

II. Introduction of newest FLAC members

Renee Webster had Brittney Bryant and Kristin Lease introduced themselves as the newest members of FLAC. Ms. Bryant is a Senior Accreditation Officer for American Association for Laboratory Accreditation (A2LA) and Ms. Lease is the Acting Director for the Prince George's County Forensic Science Division.

III. 2019 Legislative Session

1. **HB 526/SB 495 – *Medical Laboratories - Laboratory Tests and Procedures – Advertising* – (passed)**
 - a. This bill authorizes a person to directly or indirectly advertise for or solicit business in the State for (1) a diagnostic laboratory test or procedure that is ordered by a physician and performed by a medical laboratory certified under federal law, as specified and (2) specified ancestry testing.
 - b. This bill takes effect on October 1, 2019.
2. **SB 966 – *Task Force on the Effectiveness of State Forensic Crime Laboratories* – (not passed) regarding Digital Forensics**
 - a. The task force must investigate the effectiveness of crime laboratories in the State; identify shortcomings or inefficiencies in the current system of crime laboratories; and make recommendations regarding how crime laboratories can be improved and modernized.
3. **SB 767/HB 1096 – *Criminal Procedure - Sexual Assault Evidence Collection Kits – Analysis* – (passed)**
 - a. This bill requires law enforcement to submit a sexual assault evidence collection kit to a forensic laboratory within 30 days of receipt, and requires a forensic laboratory to process the kit in a timely manner.
 - b. This legislation takes effect on January 1, 2020.
 - c. Dan Katz informed the committee that the State Police is currently inventorying all kits statewide, and is in the process of discussing the process for dealing with old and anonymous kits.

4. **HB 1123 – Agriculture - Hemp Research and Production – (passed)**
 - a. This bill establishes a regulatory framework for the commercial production of hemp in Maryland.
 - i. Establishes the Hemp Farming Program in the Maryland Department of Agriculture (MDA)
 - ii. MDA will license, monitor and regulate hemp production in the state.
 - b. Bill went into effect on June 1, 2019

IV. ANAB Announcements/Updates

- a. ISO/IEC 17025 Transition of Requirements
 1. As of June 1, 2019, the legacy accreditation programs will no longer accept new applicants and will be phased out during the next year as laboratories transition.
 2. Any accreditation activity for those laboratories accredited under ISO/IEC 17025 will be conducted against the 2017 version of the ISO document and AR 3125.
- b. ISO/IEC 17020 Requirements
 1. On April 29, 2019, ANAB notified providers of the harmonization of ANAB requirements for ISO/IEC 17025 Testing & Calibration and ISO/IEC 17020 Inspection Agencies.
- c. ABFT Accreditation
 1. ANAB has not received transition or requirement updates from the ABFT Board since the last FLAC meeting. It is known that the Accreditation Board has begun work on revising the ABFT Accreditation Requirements, but a release date has not been announced.
 2. Several labs accredited to ABFT requirements have transitioned to the ISO/IEC 17025 accreditation program with ABFT listed on their Scope of Accreditation. Accredited non-ABFT laboratories may also voluntarily choose to add ABFT to their Scope of Accreditation upon successful completion of an ABFT audit.

V. A2LA Announcements/Updates

Brittney Bryant informed the committee that A2LA and A2LA Training are now two separate entities. A2LA specifically deals with accreditation and A2LA Training is now A2LA WorkPlace Training. A2LA WorkPlace Training hopes to have forensic-only training in the future.

VI. Maryland Medical Cannabis Commission Updates

Ebony Cates-Brown updated the committee on the Commission's most recent data, showing that the list of patients, dispensaries, testing labs, growers and processors are increasing:

96,792 registered patients

25,805 pending patients
6,200 registered caregivers
1,300 pending caregivers
286 registered minor patients
162 certified minor patients
129 dispensaries,
7 independent testing labs
15 growers
15 processors

The Commission has outsourced its call center. It is currently partnering with statewide professional boards to curb and raise awareness of over-prescribing medical cannabis. As of December 2018, \$15 million worth of products have been sold. The Commission will meet on June 27th to approve and/or deny new licenses.

VII. Forensic Announcements/Updates

Although OHCQ is now issuing non-expiring licenses, audits and surveys will not change. Renee Webster reminded committee members to keep OHCQ updated if a forensic laboratory changes its address, name or demographic info, per the requirements of COMAR.

Tia Tate informed the committee that the Sunset clause took effect on December 31, 2018 and to ensure that laboratory personnel meet all qualifications for their positions. She also informed FLAC members of a previous situation concerning an individual, who was unlicensed and using laboratory equipment at an accredited laboratory.

VIII. Other Items

Renee Webster opened the floor for discussion and other questions. The committee addressed questions related to the situation of an unlicensed individual accessing lab equipment, OHCQ audits, SB 966, and best practices for administering proficiency exams. The committee suggested sending notices to law enforcement agencies reminding them of the forensic licensing requirements.

IX. Date for Next Meeting

FLAC's next meeting is proposed for Wednesday, November 20, 2019 at 10am at OHCQ.

X. Adjournment

The meeting adjourned at 11:45am.